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South Carolina House of Representatives

Legislative Update

Robert J. Sheheen, Speaker of the House

Vol. 8

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House Week in Review

The \$275 million State Bond Bill was passed by the House of Representatives last week and sent to the Senate for consideration. H.3651 did not receive final approval, however, without considerable debate by the House.

On Tuesday, the bill, which was previously rejected by the House on second reading, was brought up for reconsideration. The House voted down a motion to table reconsideration of the bill by a vote of 20-76. The House then voted 75-32 to reconsider the vote by which H.3651 was rejected on second reading.

The Bond Bill came up before the House again on Wednesday, as the chamber gave the bill second reading consideration. The House rejected an amendment to the bill which would have prohibited a bond bill in 1993. The House then voted 72-34 to give the State Bond Bill second reading approval. Thursday, the \$275 million bill was given final approval by the House and sent to the Senate for debate.

In other House business, H.3096, the House Solid Waste Management bill was reported out of the Ways and Means committee and placed on the calendar. Also placed on the calendar without reference was S.388, the Senate's Solid Waste Management bill.

Given second and third reading last week was S.615, the Infants and Toddlers with Handicapping Conditions legislation. The House gave the bill second reading on Thursday and third reading on Friday.

Facing the April 15 deadline for the introduction of statewide bills and joint resolutions, House members introduced 119 bills and joint resolutions last week.

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Bills Introduced

The following bills were introduced last week in the House of Representatives. Not all the bills introduced are featured here. The following bill summaries are arranged according to the standing committees to which the legislation was referred.

Agriculture, Natural Resources and Environmental Affairs

Prohibiting Pitbulls (H.3849, Rep. Scott). This legislation would make it illegal for anyone to own or possess a pit bull dog in South Carolina. Violation of this provision would be a misdemeanor with a fine of up to \$1,000 and/or up to one year in jail.

Government Agency Recycling Act (H.3904, Rep. Cooper). This legislation would require all state agencies, boards, commissions, and institutions to establish a recycling program by July 1, 1992. Materials to be collected would include used motor oil, glass, aluminum, office paper and corrugated paper. The program would include collection and storage of the material, disposal of the materials to buyers and the reduction of waste materials generated. Any cost savings generated by this program would be credited to the Education Improvement Act fund.

The State Department of Education would develop guidelines for recycling in the public schools, and the State Highway Department would conduct research projects demonstrating the use of recycled materials in highway maintenance and construction. Further, the State Development would be directed to encourage the establishment of appropriate recycling industries in the state.

Stormwater Management and Sediment Reduction Act (S.376, Sen. Wilson). This bill is aimed at reducing the adverse effects of stormwater runoff and sediment and to better safeguard property by strengthening and making uniform the existing stormwater management and sediment control program. Under this legislation, no one would be able to engage in a "land disturbing activity" without first submitting a stormwater management and sediment control plan and obtaining a permit.

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This provision would not apply to farming, forestry, activities regulated by the state Mining Act, construction or improvement of single family dwellings not involving development of a subdivision. Other exceptions for utilities, road building and maintenance are outlined in the bill. The Land Resources Commission would be charged with overseeing the provisions of this act, providing education and advice to those effected, and promulgating regulations regarding stormwater management and sediment reduction. One year after this bill goes into effect, no federal agency or local agency could undertake any regulated activity unless it has obtained the permit required under this bill.

The bill allows local governments to establish fees to help pay for the activities required by this bill, such as watershed master plans, facility retrofitting and facility maintenance. The legislation outlines what must be included in the watershed master plan. Once adopted, all projects would have to have stormwater management and nonpoint source pollution control requirements consistent with the master plan. Penalties for violations are included in the bill.

Education and Public Works

Armed Forces Special Tag (H.3794, Rep. Rama). Under this legislation, anyone who served in any branch of the military during an armed conflict would be eligible for a special license tag. Officially, the tag would be limited to any current, former or retired member of the U.S. armed forces "who evaded capture by opposing forces in any armed conflict in which United States forces were involved." This would distinguish it from other special tags now granted to current or former members of the military such as the POW tag and the Purple Heart tag.

The annual fee for the tag would be the personalized license tag fee and the regular motor vehicle registration fee.

Title Fees for Heritage Land Trust (H.3827, Rep. Barber). This legislation would require an additional fee to be charged to issue an original certificate of title for a vehicle previously titled outside the state. Eighty dollars of this \$90 fee for new certificates of title would be deposited in the Heritage Land Trust Fund, to preserve the state's natural and cultural diversity. The \$90 fee would not apply to previously owned vehicles obtained by licensed automobile dealers or to previously untitled new vehicles. The legislation notes that "increases in the state's population have a direct affect on our ability to preserve South Carolina's natural and cultural diversity."

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"Rails to Trails Act" (H.3840, Rep. Jaskwhich). This legislation would promote the idea of converting abandoned railroad rights-of-way into public recreational trails. It would encourage the State Highway Department to work with PRT and the state PSC to determine the suitability for trails the rights-of-way proposed for abandonment. Feasibility studies would be done in advance by the Highway Department and forwarded to PRT so that the appropriate recommendations for the right-of-way will be available when the railroad files a notice of intent to abandon with the Interstate Commerce Commission.

The legislation states that no railroad right-of-way could be used for any purpose that would unreasonably limit the ability to restore rail service over the right-of-way at a minimum cost if rail service was required in the future. The legislation further specifies how the state would acquire the rights-of-way, and gives the state preferential right to acquire abandoned rights-of-way, whether for future recreational or transportation purposes. Also outlined in the bill are the requirements that must be met by owners of rail property when disposing of rail property.

The bill directs the State Highway Department to actively pursue federal bikeway program funding to assist with the purposes of this legislation. It also prohibits any local government or citizen who has purchased former railroad rights-of-way from building anything on the property without the consent of the Highway Department. If the department does not give consent, the landowner may recover damages from the state. However, no damages would be awarded a property owner who purchased the land after this legislation goes into effect.

S.C. Parental Responsibility Act (H.3851, Rep. Wright). The purpose of this act is to place the primary responsibility for a child's education with his or her parents. The bill sets forth the responsibility of parents in connection with their children's education, particularly in the area of attendance. The states it is the intention of the bill to have parents clearly understand their obligations with regards to their children's school attendance, that academic problems associated with poor attendance are identified early, and that when legal remedies are sought, it is only after all other means -- including appropriate social services -- have been exhausted.

The legislation promotes:

- The development of parent-school partnerships that include parenting training, home-school communications, special outreach programs for parents of children at risk of failure, business and community partnerships to promote parental involvement, a plan for handling truancy and tardiness. The State Department of Education would provide technical assistance;

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- The development by each school district of policies that provide for consequences of a child's truancy. These policies may include detention, which need not be held during the regular school day;
- A truancy plan devised by a committee made up of the school superintendent, a member of the school board, the county attorney, the sheriff, a representative of family court, the heads of the county social services and county health agencies, and the solicitor, among others. This committee would design uniform procedures in the handling of truants and their parents;
- By Oct. 1 each school year, the adoption of plan that outlines the procedures to be used in connection with escalating activities among truants. This plan must include conferring with parents, how to return truants to school, the response of school personnel to truants, methods for involving the truant's parents in the problem, consultation with social services and plans for alternate school patterns;
- The development of educational contracts with students, attendance contracts with the child's parents, giving parents study guides for the children's courses, the forming of parent support groups and the use of in-school monitors;
- In-service training programs for teachers in the area of at-risk students and parental involvement;
- Regulations by the Department of Education which would allow school guidance counselors to work primarily in the counseling of students, working with teachers and parents and giving group guidance.

Further, the bill would require that AFDC recipients must receive training in parenting skills if they are young custodial parents. The legislation outlines what procedure must be followed if a parent or guardian fails to enroll a child in school. Also specified are the actions that must be taken when a child is truant. Three unlawful consecutive absences or five cumulative lawful absences would require notification of the parent. If the student is at risk of failure, a conference with the parent and student must be set up. The parents would have to attend the conference to avoid being cited for educational neglect. The school would work with parents on developing an intervention plan.

After six consecutive unlawful absences or eight total unlawful absences, the school district would file a report with the solicitor and request prosecution. After ten or more unlawful absences, the solicitor would proceed promptly with prosecution; however, the school report must show what actions were taken previous to the prosecution to intervene and secure the child's attendance at school.

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If at the hearing the court requires the parents to make the child attend school and the parent fails to comply, the penalty would be a \$250 fine or 30 days in jail. The parent would be excused if the court finds that he has made a bona fide and diligent effort to keep the child in school, but the parent would be directed to the appropriate social services to help with the situation. In addition to the fine or jail time, the parent could be ordered to attend a parental responsibility program. The fine or jail time could be reduced by successfully attending this program. In addition, the court may order the child to attend school with no more unlawful absences. If the child is found to be a chronic truant, the court could place him on probation, commit him to the Department of Youth Services, refer the child for community-based evaluation, commit the child to the Chronic Status Offenders program at DYS, or order the child to remain at home except during school hours.

Parental Choice in Education Act (H.3881, Rep. Jaskwhich). Under this legislation, parents would receive certificates to present to schools of their choice allowing their child to receive the school's educational services. All public schools in the state would participate in the program; private schools would decide if they wanted to participate. The certificates would be worth 100 percent of the pupil expenditure supplied by the state based on the Education Finance Act weighting. Parents could make supplemental payments if the tuition of the school is more than the worth of the certificate. Public schools would admit children who apply with certificates up to the school's capacity, after reserving places for children admitted in accordance with the school's regular admission practices. The school district would come up with a plan to equitably distribute places at a school if there are insufficient places to serve all students requesting admission. At risk students could receive certificates worth enhanced tuition allowances.

Schools would present the certificates to the district for funding. Schools where students transfer out would lose funding. Funding of certificates presented at private schools for tuition payment would be phased in except in cases of at-risk students, whose certificates would be honored at 100 percent funding from the effective date. Schools would not be obliged to provide transportation for students outside its school district. The State Department of Education would compile a list of all schools participating in the program for distribution to parents.

Not-for-Profit Child Care Centers (H.3885, Rep. Bailey). This bill would delete the current requirement in the law that after-school care programs run on school property be operated only by not-for-profit organizations. This legislation would allow for-profit day care centers to set up after-school care programs on school property. These programs are established to offer after hours care for students age 5 to 14.

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S.C. Condominium Act (H.3788, Rep. Sturkie). This lengthy legislation, entitled the S.C. Condominium Act, would replace the current statutes governing condominiums. This legislation includes how condominiums would be created, what the declaration creating a condominium must contain, provisions on time sharing, the powers and duties of a condominium association, the responsibilities of unit owners, and how liabilities would be divided between the association and unit owners. Under the bill, the South Carolina Real Estate Commission would employ full-time arbitrators to conduct binding arbitration in connection with disputes arising from the provisions of the proposed act. Also specified in the bill are the rights and obligations of condominium developers, the rights and obligations of associations, provisions for special types of condominiums, the regulations and disclosure obligations prior to the sale of a condominium, and provisions on condominium conversions.

Dangerous Dogs Violations Penalty Increase (H.3826, Rep. Rudnick). Under this legislation, penalties for violation of the state dangerous dog law would be increased. The first offense fine would increase from \$200 to \$1,000 and imprisonment increase from 30 days to six months. The fine for second or subsequent offenses would increase from \$1,000 to \$2,000. Jail time of up to one year would be added to the law. The bill would also take this crime out of the jurisdiction of the magistrate's court.

Election of Circuit Judges (H.3860, Rep. Rudnick). Under this joint resolution, all circuit judges would be popularly elected. If approved by the General Assembly, this question would go before the voters in a statewide referendum.

Informed Consent for Abortion (H.3866, Rep. Corning). This legislation would prohibit any abortion from being performed except with the voluntary and informed consent of the woman, except in the case of a medical emergency. The abortion would be voluntary and informed only if the woman is told the name of the doctor performing the abortion, the medical risks associated with the abortion procedure, the probable gestation age of the fetus, and the medical risks associated with pregnancy and child birth.

Except in cases of incest or rape, the women should be informed that she has the right to review literature, developed by the state, showing the development of a fetus at different gestation ages, and listing the public and private agencies that offer assistance with child birth, child support, and adoption. Literature on the fetus must include information on the possibility of the fetus' survival and must be objective and nonjudgmental.

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The literature also must describe the father's liability for child support.

In an medical emergency, the doctor would inform the woman, if possible, of the necessity for the abortion to save her life or avoid the risk of losing a major bodily function. If a person performs an abortion knowing that the consent requirements of this bill have not been met, the person would be guilty of a misdemeanor carrying a fine of not less than \$1,000 nor more than \$5,000.

Felons Ineligible for Office (H.3878, Rep. Sharpe). Under this proposed constitutional amendment, no person would be eligible to serve in the General Assembly if he has been convicted of a felony under state or federal law or has been convicted of an election law violation. This prohibition would apply whether the person plead guilty or nolo contendere. This joint resolution, if passed, would go before the voters in the statewide referendum.

No More Paper Ballots (H.3886, Rep. Jennings). This legislation would prohibit any county from using paper ballots, except for absentee or contested ballots, beginning with the 1992 election. This would require counties to use automated or electronic voting systems.

Judicial Screening Committee Make-up (H.3889, Rep. Hodges). This legislation would change the make-up of the Joint Legislative Judicial Screening Committee. Under this bill, the committee would consist of three House members, one of whom would be an attorney; three state senators, one of whom would be an attorney; and three members appointed by the governor, one of whom would be an attorney. The judicial screening committee would limits its recommendations to the General Assembly to no more than three candidates.

Mandatory Minimum Sentencing Act (H.3891, Rep. Meacham). This bill would set mandatory minimum sentences for controlled substance violations. The bill states that the minimum sentences could not be suspended, probated, furloughed, or deferred. However, the solicitor may ask the court to impose a reduced or suspended sentence if the person provides substantial assistance in the arrest and convictions of others in the drug trade.

In addition, the Department of Corrections would be directed to estimate the cost of carrying out these minimum mandatory sentences, and the General Assembly would issue "Correctional Facilities Construction Bonds" to pay for the cost of constructing sufficient prison space to carry out this legislation.

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Tobacco Products in Vending Machines (H.3897, Rep. Quinn). This legislation would make it illegal to sell tobacco products from vending machines in places frequented by young people under 18-years-old, including schools, amusement or recreational facilities. Cigarette vending machines would be allowed in bars and taverns, restaurants licensed to sell liquor or beer and wine, or places where teenagers under 18 are not generally permitted access, such as offices, factories and private clubs. All locations where cigarette vending machines are permitted must be located so that they are in the direct sight of the owner of the establishment. The owner must require proof of age if he suspected a person under 18 is using the machine. The bill sets out the fines for people who sell tobacco products to a minor, which could include fining the owners of establishments allowed to have vending machines carrying tobacco products.

Labor, Commerce and Industry

Restricting Liquor Sales (H.3883, Rep. Gonzales). This legislation upholds the authority of a county or municipality to prohibit the sale of beer, wine or alcoholic beverages for on-premise consumption between the hours of 2 a.m. and 10 a.m. It also confirms and ratified existing county or municipal ordinances prohibiting such sales.

Minimum Bodily Injury and Property Damage Limits (H.3896, Rep. Gentry). Under this legislation, the minimum requirements for bodily injury and property damage coverage in automobile insurance would be increased. The minimum coverage would be raised from the current \$15,000/\$30,000/\$5,000 to \$25,000/\$50,000/\$20,000.

Beer and Wine at Public Golf Courses (H.3908, Rep. Burriss). Under this bill, beer and wine would be sold on Sundays at publicly owned golf courses with the consent of the governing authority of the golf course, but only in counties and municipalities which allow Sunday alcoholic beverage sales.

Medical, Military, Public and Municipal Affairs

Tattoo Parlors (H.3857, Rep. Roger Young). Tattoo artists would have to register with the state Department of Health and Environmental Control, under this legislation. In order to register as a tattoo artist, a person must be 18, of good moral character and demonstrate knowledge of antiseptic techniques used in tattooing.

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The registration must be renewed annually and would carry a \$50 fee. The bill specifies what hygienic and sterilization techniques the artist must employ to prevent the spread of communicable disease, including the equipment and non-toxic dyes to be used. Registration of the tattoo parlor would also be required. Specifications for the parlor are included in the bill.

In addition, the legislation would prohibit the tattooing of juveniles under 18-years-old.

Prenatal Exposure to Controlled Substances (H.3858, Rep. Roger Young). This legislation would require those medical personnel who are mandated to report child abuse and neglect cases to report to DSS any pregnant woman using a controlled substance for nonmedical reasons during her pregnancy. The legislation encourages any other person to voluntarily report the drug use. Within 72 hours of the report, DSS must begin an investigation. If the department finds drug use, it must develop a treatment plan for the woman, including emergency admission or involuntary commitment if the woman refuses voluntary services. Doctors would be required to test pregnant women they suspect of drug use and test newborns they suspect of being exposed to drugs prenatally. DSS would take action required for abused children if tests on a newborn show the presence of prenatal drug use.

Information gathered in connection with this legislation would be confidential and could not be used in criminal proceedings for possession of a controlled substance. Penalties are outlined in the bill for those required by law to report but who fail to do so.

Infants and Toddlers with Handicapping Conditions (S.615, Sen. Nell Smith). This legislation makes changes in the former provisions dealing with handicapped infants and toddlers, including expanding the language to include infants and toddlers with disabilities, instead of "handicapping conditions" as it now appears in the law. The bill states that the purpose of the legislation is to provide early intervention services to infants and toddlers with disabilities contingent upon the appropriation of federal funds. The legislation updates the language of the bill to conform with new federal provisions. Federal, state, local and private programs are directed to work together to provide the intervention services. The State Interagency Coordinating Council would advise the Department of Health and Environmental Control in developing a comprehensive system to provide early intervention services for all eligible infants and toddlers. A joint funding plan for these coordinated service would be submitted to the Joint Legislative Committee on Children by August 1 each year. The legislation also calls for the establishment of county or multi-county local interagency planning councils.

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Ways and Means

FOI and Disclose of Salaries (H.3823, Rep. Kirsh). This legislation would require that the exact salaries of public employees be disclosed under provisions of the state Freedom of Information Act, instead of the current provisions of disclosing salary ranges for those whose salaries are under \$50,000 a year.

S.C. Water Quality Revolving Fund Authority (H.3829, Rep. Boan). Under the Federal Water Pollution Control Act and the Water Quality Act of 1987, the federal grant provides grants to the states to fund state water pollution control revolving funds, with the grants requiring the states to put up a 20 percent match. Under current statutes, the State Budget and Control Board established the State Water Pollution Control Revolving Fund for the purposes of making loans of the federal and state funds in connection with the Clean Water Act. The purpose of this legislation is to repeal the State Water Pollution Revolving Fund and replace it with the state Water Quality Revolving Fund Authority. The purpose of this authority would be to administer the revolving fund and the loans made from the fund, and to provide additional financing in the future to local governments in order to pay for projects. The bill describes the powers and duties of the authority, which would be made up of members of the State Budget and Control Board. It also describes how the authority's revolving fund would operate. The legislation would also authorize the authority to issue bonds to provide funds for the revolving fund.

State Health Plan Benefits (H.3862, Rep. Rudnick). This legislation would require state health insurance to pay 100 percent of the usual and customary fees of health care providers.

Without Reference

Senate Solid Waste Bill (S.388, Sen. Moore). Here are highlights of this 108-page bill. The bill:

- Would not apply to hazardous, infectious, radioactive or mining wastes.
- Would establish a statewide solid waste reduction goal of 30 percent of the solid waste being disposed of in municipal solid waste landfills and solid waste incinerators not later than six years after enactment. No more than 50 percent of this goal would be met by the removal from the waste stream of yard trash, land clearing debris, white goods, construction

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and demolition debris and waste tires. Initial reduction goals based on the 1993 solid waste level would not apply to solid waste incinerators. However, new, revised goals would apply.

- Would establish the statewide goal to recycle at least 25 percent of the total solid waste stream not later than six years after the date of enactment. To determine whether the recycling goal has been reached, no more than 40 percent of the recycling goal could be met by removal of yard trash and land clearing debris from the waste stream.
- Encourages a regional approach to solid waste management and research by private entities.
- Sets as a state policy that each county or region make every effort to meet, on an individual basis, the state solid waste recycling and reduction goals. It further establish that each county or region meeting these goals would be financially rewarded by the state.
- Eighteen months after enactment of the bill, the Department of Health and Environmental Control would submit a state solid waste management plan to the Governor and General Assembly. Elements of the plan are set forth in the bill. Thereafter, DHEC would submit annual comprehensive reports on solid waste management to the Governor and General Assembly. The bill states what must be included in the annual reports.
- Would create a 22-member State Solid Waste Advisory Council. The council would advise DHEC on the initial solid waste management plan and the subsequent annual reports. The council would sunset after six years.
- Would establish a 16-member Recycling Market Development Council. The council would assist in identifying and developing markets for source separated and recycled materials. Fifteen months after creation, the council would submit a comprehensive recycling report to the Governor and General Assembly. Topics to be addressed in the report are outlined in the bill. Thereafter, the council would submit annual reports.
- Fifteen months after DHEC submits the state plan, counties and regions, in cooperation with the municipalities, would submit to DHEC local solid waste management plans. The elements of the plans are specified in the bill. One requirement is that the plans provide for a resource recovery and/or recycling program. A county or region would not have to meet the recycling program requirement if it can provide sufficient justification to DHEC that a recycling program would be

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economically infeasible or impracticable or that the recycling and reduction goals can be met without it. DHEC would have 180 days to review the plans before they go into effect. Each of the plans must be designed to reach the same recycling and solid waste reduction goals as set statewide; however, the counties or regions could set higher goals. DHEC could modify a county or region's goal for good cause. Each county or region would have to submit annual reports to DHEC on their progress.

- Would not require a county to participate in a regional plan, but it strongly encourages counties to take a regional approach to solid waste management.
- Would give county governing bodies the responsibility for the operation of solid waste management facilities to meet the county's needs; however, municipalities are not prohibited from continuing to operate existing solid waste facilities.
- Would establish out-of-state solid waste fees of \$10 per ton; however, if there is a higher fee, that would be imposed. Revenue generated from the out-of-state solid waste fees would be deposited in the Solid Waste Management Trust Fund.
- Eighteen months after enactment, all municipal landfills must install scales to weigh incoming solid waste. All solid waste landfills permitted after enactment of the bill must have scales installed.
- One year after enactment, each county or region submitting a solid waste plan would establish a local Solid Waste Advisory Council. These 15-member councils would advise the county or regions on preparation of the solid waste plan and on method of implementation.
- One year after enactment, DHEC would promulgate regulations establishing the method for local governments to use in calculating the full cost for solid waste management within their service areas. One year after the promulgation of these regulations, each county and municipality would determine the full cost for solid waste service in their area and provide this information to the public.
- Ninety days after enactment, there will be established an Office of Solid Waste Reduction and Recycling with DHEC. The bill outlines the duties of this office.
- Would establish a Solid Waste Management Trust Fund to fund implementation of the bill, research activities, activities of the Recycling Market Development Council, grants to local

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governments, and fund demonstration projects. The bill states how the money for the trust fund would be generated. This would include appropriations from the General Assembly, \$3 million in oil overcharge refund monies, the fees from out-of-state solid waste and the per item fees generated from the disposal of lead acid batteries, white goods, waste tires and motor oil.

- Would establish a Solid Waste Management Grant program using trust funds to assist counties and municipalities in carrying out their responsibilities under the bill. The legislation specifies how the grants would be handled.
- Would establish a recycling and solid waste reduction program for state government agencies. Additionally, procurement policies would be reviewed to identify any recycled materials that could be purchased. It is a goal of the legislation for state agencies to procure 25 percent recycled materials.
- Would prohibit: Six months after enactment, the sale of beverage containers with detachable metal rings or tabs; one year after enactment, the sale of food or drink in packaging made of CFC's; one year after enactment, retail use of plastic bags unless composed of recyclable materials; one year after enactment, plastic ring carriers; one year after enactment, food containers made of polystyrene foam products.
- Eighteen months after enactment, all plastic bottles must be labeled with a code identifying the resin contents for recycling purposes.
- Five years after enactment, DHEC would determine the percentage of containers types being recycled. If the recycling rate is less than 25 percent, the department would submit to the governor recommendations for incentives to increase recycling.
- Establishes prohibitions on the disposal of used oil. The State Highway Department would establish on contract for a used oil collection center for each county. The bill also specified how used oil should be handled, including registration of those who transport oil and oil collection centers. After November 1, an 8 cents per gallon fee would be imposed on motor oil invoiced to South Carolina distributors. The fees would be set aside for a Petroleum Fund to be used for by the Office of Solid Waste Reduction and Recycling for various projects, as outlined in the bill.
- Would establish a disposal program for waste tires and specify prohibitions on disposal methods. Six months after regulations

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go into effect, no one may disposal of waste tires in a landfill. After Nov. 1, new tires would carry a \$2 fee. The fees would be collected and distributed back to the counties to be used in the collection and disposing of waste tires.

- Would establish prohibitions on the disposal of lead acid batteries. After Nov. 1, a \$2 per lead acid battery fee would be imposed.
- Fifteen months after enactment, no landfill could accept yard trash unless the landfill has a composting facility. DHEC would promulgate regulations on the proper handling and composting of yard trash.
- Three years after enactment, no one could dispose of white goods (appliances) in a landfill. A \$2 per appliance fee would be charged on white goods delivered to wholesalers and others.
- Establishes a goal of recycling 35 percent or more of the newsprint in South Carolina within five years of enactment. If the goal is not met, DHEC would submit an incentive plan to the governor.
- Article 2 of the bill specifies permitting procedures, the powers and duties of DHEC in connection with solid waste management, information to be disclosed in permitting applications, permits for research and development, regulations governing solid waste landfills, requirements for new and existing landfills, requirements for solid waste incinerators, requirements for the management of solid waste incinerator ash, solid waste processing facilities, how waste could be stored and transported, regulations for land application facilities and composting facilities, closure requirements, the training of landfill operators, and penalties for violations.
- Provides additional safeguards to ensure citizen participation in decisions regarding the location of solid waste facilities.
- Would make illegal dumping of litter on public or private property or waters two point violation on a driver's license.
- Encourages the study of using solid waste as an energy alternative.

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Other Bills Introduced Last Week

Under House rule 5.12, all statewide House bills and joint resolutions (except appropriation bills or a joint resolution approving or disapproving regulations of a state agency) must be introduced by April 15. After that date, House bills can be introduced and referred to a standing committee but cannot be placed on the calendar for consideration by the full House without receiving a two-thirds vote of the House members present and voting to waive the deadline rule. The two-thirds vote rule applies to Senate bills introduced in the House after May 1.

Last week a number of skeleton bills were introduced in the House to meet the April 15 deadline. Here is a list of some of those bills and the standing committee to which they were referred.

Education and Public Works

Revision of Certain Attendance Requirements (H.3913, Rep. Fair).

Judiciary

Reapportionment of the House of Representatives (H.3834, Rep. Wilkins).

Reapportionment of the State Senate (H.3835, Rep. Wilkins).

Congressional Reapportionment (H.3836, Rep. Wilkins).

Prosecution of Domestic Violence Offenses Requirement (H.3864, Rep. Corning).

Drug Free School Zones Act (H.3880, Rep. Meacham).

South Carolina Garnishment Procedure Act (H.3909, Rep. Dick Elliott).

Labor, Commerce and Industry

Pet Dealers and Pet Shop Owners Requirements (H.3906, Rep. Harvin).

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Additional Requirements for Licensure of Retail Pistol Dealers
(H.3912, Rep. Stoddard).

Medical, Military, Public and Municipal Affairs

Hospital Rate Setting Commission Established (H.3861, Rep.
Rudnick).